

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DONALD TANNER and CARRIE TANNER,
husband and wife, and the marital community
composed thereof,,

Plaintiffs,

v.

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY,

Defendant.

No. 2:17-cv-00552-MJP

JOINT STIPULATED MOTION AND
ORDER TO WITHDRAW PRIOR
ORDER OF DISMISSAL

NOTE ON MOTION CALENDAR:
DECEMBER 13, 2017

COME NOW Plaintiffs Donald and Carrie Tanner, by and through their attorney, Riley D. Lee, and Defendant Allstate Property & Casualty Insurance Company, by and through its attorney, Irene M. Hecht, Keller Rohrback L.L.P., and move the court to withdraw the prior Stipulation For Order Of Dismissal Without Prejudice (Docket #17) and Order Dismissing Case (Docket #18) and instead, enter the Amended Order Dismissing Case (Docket #19-1) based on the Amended Stipulation for Order of Dismissal With Prejudice (Docket #19) based upon the following: The parties have settled and fully resolved this case and as part of the settlement, the parties agreed to stipulate to the dismissal of this lawsuit WITH prejudice and without an award of costs or attorneys fees to either party. As a result of an inadvertent error, the prior Stipulation and the Order of

JOINT STIPULATED MOTION AND ORDER TO WITHDRAW
PRIOR ORDER OF DISMISSAL
(2:17-cv-00552-RAJ) - 1

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1 Dismissal entered by the Court pursuant to that Stipulation (Docket #17 and #18) provided for
2 dismissal WITHOUT prejudice, contrary to the agreement of the parties. The parties now jointly
3 request that the Court withdraw the prior Order of Dismissal Without Prejudice and enter the
4 Amended Order Dismissing Case, dismissing this lawsuit WITH prejudice, consistent with the
5 parties agreement.
6

7 DATED this 13th day of December, 2017.

8 KELLER ROHRBACK L.L.P.

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10 By s/Irene M. Hecht

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Plaintiffs Donald and Carrie Tanner

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JOINT STIPULATED MOTION AND ORDER TO WITHDRAW
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ORDER

Based on the foregoing joint stipulated motion, IT IS HEREBY ORDERED that the December 7, 2017 Order Dismissing Case (Docket #18) is withdrawn and a new Amended Order dismissing this lawsuit with prejudice will be entered.

DONE IN OPEN COURT this 14 day of December, 2017.

By 
THE HONORABLE MARSHA J. PECHMAN

Presented by:

KELLER ROHRBACK L.L.P.

By s/Irene M. Hecht
Irene M. Hecht, WSBA #11063
Attorneys for Defendant

Approved as to form and Notice of Presentation Waived:

LAW OFFICES OF RILEY D. LEE

By s/Riley D. Lee
Riley D. Lee, WSBA #20825
Attorneys for Plaintiffs

JOINT STIPULATED MOTION AND ORDER TO WITHDRAW
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